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Southern District of New York
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- v. -

HATEM BEHIRY,

Defendant.

STIPULATION AND ORDER

16 Cr. 763 (LGS)

The United States of America, by its attorney DAMIAN WILLIAMS, United States Attorney for the Southern District of New York, and HATEM BEHIRY, defendant in the above-captioned case, hereby stipulate and agree as follows:

1. On or about February 21, 2017, Hatem Behiry paid \$100,000 into the registry of the Clerk of Court in connection with satisfying the conditions of his release pending trial in this matter, and \$100,000 of the appearance bond funds remain on deposit with the Clerk of Court (receipt number 465401174953).
2. On May 9, 2019, Hatem Behiry was convicted following a trial by jury on all counts

in Superseding Indictment S3 16 Cr. 763 (LGS).

3. On October 6, 2020, the Court sentenced Hatem Behiry to a term of 24 months' imprisonment, to be followed by three years' supervised release, and imposed a \$500 mandatory special assessment. By order dated October 7, 2020, the Court ordered that Behiry pay \$5,757,661 in restitution.

4. The above-referenced criminal money penalties remain unpaid.

5. The Government moved pursuant to Title 28, United States Code, Section 2044 for an order directing that the appearance bond funds currently held by the Clerk of Court be applied towards the payment of Behiry's outstanding criminal money penalties. *United States. v. Hatem Behiry*, 16 Cr. 763, Dkt. No. 846.

WHEREAS, the parties wish to resolve this matter without further litigation.

6. In accordance with Title 28, United States Code, Section 2044, the Clerk of Court shall transfer or otherwise apply \$70,000 of the \$100,000 in funds currently held in the Court's registry on behalf of Behiry to partially satisfy his outstanding special assessment and restitution obligations.

7. The remaining \$30,000 of the \$100,000 in funds currently held in the Court's registry on behalf of Behiry shall be disbursed by the Clerk of Court as soon as practicable to Behiry's counsel by check made payable to "Law Offices of Peter W. Till - Attorney Trust Account" and mailed to counsel at the address listed below.

WHEREFORE, the parties jointly request that the Court enter an Order directing the Clerk of Court to disburse the funds currently held in the Court's registry on behalf of Behiry as

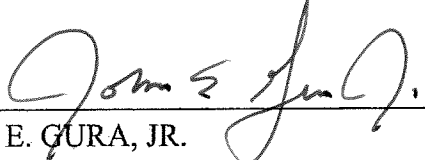
provided in paragraphs 6 and 7 above.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS

United States Attorney for the
Southern District of New York

By: _____

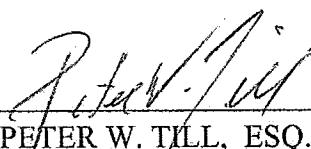

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DATE _____

July 15, 2022

HATEM BEHIRY

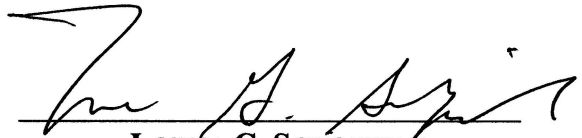
By: _____


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E-mail: pwt@till-law.com

DATE _____

The Clerk of the Court is directed to terminate the motion at docket number 846.

SO ORDERED:


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

DATE _____

July 26, 2022